

**CITY OF ANDERSON
COUNCIL AGENDA
October 28, 2013
6:00 PM**

INVOCATION: Mayor Pro Tem Tony Stewart

RESPECTS TO FLAG: Councilman Rick Laughridge

Approval of Minutes of October 14, 2013

A. OLD BUSINESS:

1. Request second and third reading of Ordinance 13-14 to rezone 312 East Morris Street from R-5, Single-Family Residential to RM-10, Multi-Family Residential.
2. Request second and third reading of Ordinance 13-15 amending Article II of Ordinance 12-04 regarding City of Anderson Wastewater Pretreatment Program.

B. NEW BUSINESS:

1. Request consideration of Accommodations Tax (ATAX) Advisory Committee recommendations.
2. Request consideration of a contract with Clemson University regarding public education and awareness for Stormwater Program.
3. Request consideration of a contract with Woolpert, Inc. for a watershed assessment study for Stormwater Program.

C. ADMINISTRATIVE BRIEFING:

1. Municipal Election Commission Appointment
2. Upcoming Events

City of Anderson
Regular Meeting
October 14, 2013

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Roberts, Council Members Kirven, Thompson, Chapman, Laughridge, Anderson and Harbin. Mayor Pro Tem Stewart and Councilman Roberts were not present. Also in attendance were City Manager, John Moore; Finance Account Analyst, Tamara Lindley; Police Chief, Jim Stewart; and Fire Chief, Dale Horne. The invocation was given by Mayor Terrance Roberts with respects to the flag by Council Member Beatrice Thompson.

SPECIAL RECOGNITIONS
Firefighter Hunter Hartline
Life Saving Award

Fire Chief, Dale Horne said on May 21, 2013 Fire Station 2 received a call to respond to a vehicle accident in front of the Anderson Mall. As firefighters David Irby and Hunter Hartline approached the vehicle, they noticed an unconscious female in the driver seat. A civilian bystander stated that she was barely breathing. Firefighters checked for vitals and as they were doing so the patient stopped breathing and went into full cardiac arrest. She was removed from the vehicle and firefighters began CPR. She eventually regained a pulse and started breathing. She is expected to make a full recovery. This was directly related to the actions of Firefighter Hartline.

Fire Chief Horne presented Firefighter Hunter Hartline with the Life Saving Award.

Lieutenant Allen Hammond
Police Department Retiree

Police Chief, Jim Stewart said Lieutenant Allen Hammond began his law enforcement career 26 years ago and served 19 of those years with the Anderson Police Department. Over the years with the City, he worked in the Patrol Division and in Special Operations with the Bicycle/Community Patrol PACE team. Lt. Hammond helped coordinate the training division and worked there for 2 years, while also working in Community Patrol. In 2004, Lt. Hammond was promoted to Sergeant and worked as a School Resource Officer and as a Desk Sergeant. Lt. Hammond was promoted to Patrol Lieutenant in 2008 and finished his career as an Administrative Lieutenant in the Detention Center. Lt. Hammond retired this past September. He will continue his career in law enforcement as a Deputy with the Anderson County Sheriff's Office.

Police Chief Stewart presented Lieutenant Allen Hammond a plaque in honor of his service of 19 years with the City of Anderson Police Department.

Sergeant Joel McKee
Promotion to Lieutenant

Police Chief Stewart said Lieutenant Joel McKee began his career in 1997 as a reserve officer with the City of Anderson. In 1999, Lt. McKee was employed as a full time officer with the City and served in patrol for the next 3 ½ years. Lt. McKee then transferred to the bike team for the next 6 months and

then to Special Operations where he spent the next 7 ½ years. During this time, he was promoted to the rank of Sergeant. Lt. McKee directed the City's first Street Crimes Unit. In 2009, McKee transferred to the Patrol Division as a road supervisor, and in 2011 he completed a year in the Training Division. In 2012, Lt. McKee returned to Patrol as a road supervisor, and remained there until he was promoted to Administrative Lieutenant in the Detention Center.

Police Chief Stewart swore in Sergeant Joel McKee as a Lieutenant and pinned his new badge.

SPECIAL PRESENTATION AnMed Health – Heart and Stoke Committee

Cardiologist, Dr. Stoll gave a presentation on Sudden Cardiac Arrest. AnMed Health presented Mayor Roberts with two AED units to place in a City building.

APPROVAL OF MINUTES

A motion by Council Member Thompson seconded by Councilman Chapman carried unanimously (7-0) to approve the minutes of the September 23, 2013 meeting as presented.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (7-0) to approve the minutes of the October 7, 2013 meeting as presented.

REQUEST CONSIDERATION OF ORDINANCE 13-14 TO REZONE 312 EAST MORRIS STREET FROM R-5, SINGLE-FAMILY RESIDENTIAL TO RM-10, MULTI-FAMILY RESIDENTIAL

City Manager, John Moore said occupying this property are 4 structures that are believed to be slave cabins. The property is currently in the ownership of the Palmetto Trust for Historic Preservation, and they are willing to sell this property to a buyer who will meet their requirements for preserving the historic character of the site. The potential buyer proposes to convert each structure into individual dwelling units and is currently working with the Palmetto Trust on his plans. However, since there are 4 structures are on one parcel of land, multi-family zoning is necessary in order to utilize the property in this manner.

The Planning Commission considered this request at their October 1st meeting and unanimously recommended approval. If approved, any changes to the exterior of the buildings will be subject to the guidelines of the Palmetto Trust as well as the City of Anderson Board of Architectural Review.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (7-0) to approve Ordinance 13-14 to rezone 312 East Morris Street from R-5, Single-Family Residential to RM-10, Multi-Family Residential on First Reading.

REQUEST CONSIDERATION OF RESOLUTION 13-10 APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ANDERSON POLICE DEPARTMENT AND PICKENS COUNTY SHERIFF'S DEPARTMENT

Mr. Moore said municipalities are authorized by the South Carolina Code of Laws to enter into Mutual Aid Agreements for the benefit of the citizens. Section 23-1-210 of the Code of Laws for South Carolina specifically authorizes an agreement for the transfer of law enforcement officers to work in law enforcement in any other municipality or county in the state. Prior to any transfer, the concerned municipalities are required to enter into a written agreement stating the terms of the temporary employment of all officers to be transferred. The Pickens County Sheriff's Department desires to enter into such agreement with the City of Anderson Police Department for the purpose of securing to each other the benefits of mutual aid in the event of natural disaster, disorder, or other emergency situations. The agreement has been approved and executed by the County of Pickens.

A motion by Councilman Harbin seconded by Councilman Anderson carried unanimously (7-0) to approve Resolution 13-10 approving a mutual aid agreement between the City of Anderson Police Department and Pickens County Sheriff's Department.

REQUEST CONSIDERATION OF A CONSTRUCTION CONTRACT FOR THE HIGHWAY 28 BYPASS WATER PRESSURE IMPROVEMENTS PROJECT

Mr. Moore said the Hwy 28 Bypass project follows the Old North Anderson project which is currently under construction. City Council approved a design contract last year for improvements to provide increased pressures including a new booster pump station, approximately 11,000 linear feet of distribution lines, modifications to the connections with ARJWS transmission mains, and other related improvements. The final design incorporated several existing water mains and reduced the total length of pipe to 9,020 linear feet. This improvement will benefit 28 commercial and 455 residential outside-city customers. The project was bid in September and the results are below:

<u>Contractor</u>	<u>Bid Amount</u>
Gar-Con, Inc.	\$910,190
J & M Construction, Inc.	\$914,990
Buckeye Construction, Inc.	\$924,335
Don Moorhead Construction, Inc.	\$1,231,767
Wateree Construction Co, Inc.	\$1,370,680

Moving forward with this project helps the City improve its water distribution system to meet SCDHEC minimum standards.

The project will be funded by \$870,000 coming from the 2009 Bond Proceeds and remaining from current year capital.

The Staff recommends awarding the construction contract in the amount of \$910,190 to the low bidder, Gar-Con, Inc. from Pickens, SC.

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (7-0) to award the bid for a construction contract for the Highway 28 Bypass Water Pressure Improvement Project to Gar-Con, Inc. in the amount of \$910,190.

REQUEST CONSIDERATION OF ORDINANCE 13-15 AMENDING ARTICLE II ON ORDINANCE 12-04 REGARDING CITY OF ANDERSON WASTEWATER PRETREATMENT PROGRAM

Mr. Moore said Article II of this ordinance pertains to the Industrial Pretreatment Program. The City operates an Industrial Pretreatment Program which is designed to control and eliminate toxic pollutants from entering the local water environment. In 2012, the City made changes to comply with the most recent EPA model ordinance and submitted to SCDHEC for approval. After SCDHEC review of the amendments, several clarifications were requested before final approval. The following is an excerpt from SCDHEC's request for clarification:

1) Throughout the document the terms approval authority and control authority are utilized. The definitions section of the Sewer Use Ordinance (SUO) contains the appropriate definitions for each entity but the SUO creates confusion as to the responsibilities of each entity. As an example: in section 34-09(C)(2) it describes the use of a written application needing to be submitted to the approval authority for discharge into the City of Anderson's (City) public sewers. The control authority is the entity responsible for issuing industrial user permits within the City's jurisdiction which is the City of Anderson. In the State of South Carolina, the South Carolina Department of Health and Environmental Control (SCDHEC) is the approval authority and within the City's jurisdiction the City is the control authority. Please amend the document to correctly identify the responsibilities associated with each entity.

2) Where appropriate, the state pretreatment regulations should be cited instead of or in addition to the federal regulation. The state regulation may require additional information and approval. As an example: 40 CFR 136 would be appropriate for sampling while R61-9 403.12(e)(2)(v) would be appropriate for certification of "pollutants not present". Before the City could grant the waiver for "pollutants not present" prior Departmental approval would be required. Please modify and resubmit the Sewer Use Ordinance.

4) Section 34-10(C) lists specific pollutants which are prohibited from discharge into the collection system and subsequently introduced into the wastewater treatment plant. The City may choose to revisit the list of pollutants identified in this section because it contains pollutants which may be discharged by categorical dischargers (i.e., toluene). By strictly prohibiting the discharge of such pollutants the City is limiting its ability to serve some industrial users (i.e., OCPSF – 40CFR 414). If this is the intent of the City then the language, as submitted, is acceptable if not please modify and resubmit.

The changes and clarifications offered will allow new industrial permits to be drafted and existing permits to be renewed upon expiration.

There is no funding requirement.

A motion by Councilman Laughridge seconded by Councilman Harbin carried unanimously (7-0) to approve Ordinance 13-15 amending Article II of Ordinance 12-04 regarding City of Anderson Wastewater Pretreatment Program on the First Reading.

REQUEST RATIFICATION OF CHANGE ORDER FOR THRIFT BROTHERS, INC. REGARDING WESTVIEW CEMETERY IMPROVEMENTS

Mr. Moore said on August 12, 2013 council approved a contract for the expansion of Westview Cemetery. The expansion involves the addition of approximately 2,560 new graves with associated roads, drainage infrastructure, etc. The expansion is currently underway and should be completed by mid-November. As a result of the bid process, the total cost for this project was less than the cost that had been anticipated during project development and planning. The low bid was \$235,041.91. The original estimated construction cost prepared in 2011 was \$315,000.

It has been recommended that a new asphalt overlay of the existing roads would not only enhance and upgrade the look of the cemetery, but would also add longevity to the existing asphalt surfaces. Thrift Brothers, Inc. was asked to prepare a change order to provide for the asphalt overlay of all existing roads within the cemetery. Their quote for this additional work is \$35,400. The City Engineer reviewed the quote and determined that it was within the range of costs typically seen for this type of work. The unit price for this job comes to \$9.31 per square yard; the typical overlay price is around \$9.00 to \$11.00 per square yard.

Approval of this change order will provide the funds necessary to overlay the existing roads throughout the cemetery. The expansion, coupled with the newly overlaid roads, will give the historical cemetery a fresh new look and will provide for the needs of the citizens of Anderson for many years to come.

This project will be funded by the Perpetual Care Fund. As of August 31, 2013 the fund balance was \$660,000. The cemetery staff estimates that 40 graves will be sold per year with 20 interments, half of the interments will include markers at that time. Therefore, estimated annual revenue is \$44,076. It will take approximately 6 years to repay the Perpetual Care Fund.

The staff recommends approval of Change Order #1 for \$35,400 to overlay the existing roads, which will bring the total of the expansion project to \$270,441.91.

A motion by Councilman Thompson seconded by Councilman Laughridge carried unanimously (7-0) to approve Change Order #1 for \$35,400 to overlay the existing roads, bringing the total of the expansion to \$270,441.91.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

City Manager reminded Council of the following upcoming event and all meetings in October 2013.

October 28th – Council Meeting

ADJOURNMENT

A motion by Councilman Chapman seconded by Councilman Harbin carried unanimously (7-0) to adjourn.

ATTEST:

Terence V. Roberts
Mayor

Peggy G. Maxwell
City Clerk Treasurer

City of Anderson
Council Agenda

Title/Description: Old Business

Request: Consideration of an Ordinance 13-14 to rezone 312 East Morris Street from R-5, Single-Family Residential to RM-10, Multi-Family Residential.

Executive Summary:

Background: On the subject property, there are 4 structures that are believed to be slave cabins. The property is currently in the ownership of the Palmetto Trust for Historic Preservation, and they are willing to sell this property to a buyer who will meet their requirements for preserving the historic character of the site. The potential buyer proposes to convert each structure into individual dwelling units and is currently working with the Palmetto Trust on his plans. However, since there are 4 structures on one parcel of land, multi-family zoning is necessary in order to utilize the property in this manner.

Benefit: N/A

Funding: N/A

Recommendation: The Council approved this on first reading at their October 14th meeting and the Planning Commission unanimously recommended approval on October 1st. If approved, any changes to the exterior of the buildings will be subject to the guidelines of the Palmetto Trust as well as the City of Anderson Board of Architectural Review.

Action Requested:

_____Ordinance 1st Reading

_____Information Only

 X Ordinance 2nd Reading

_____General Approval

_____Resolution

_____Referral

AN ORDINANCE OF THE MAYOR AND
COUNCIL OF THE CITY OF ANDERSON
TO AMEND THE CITY OF ANDERSON
ZONING ORDINANCE BY REZONING
312 EAST MORRIS STREET FROM R-5,
SINGLE-FAMILY RESIDENTIAL TO RM-10,
MULTI-FAMILY RESIDENTIAL.

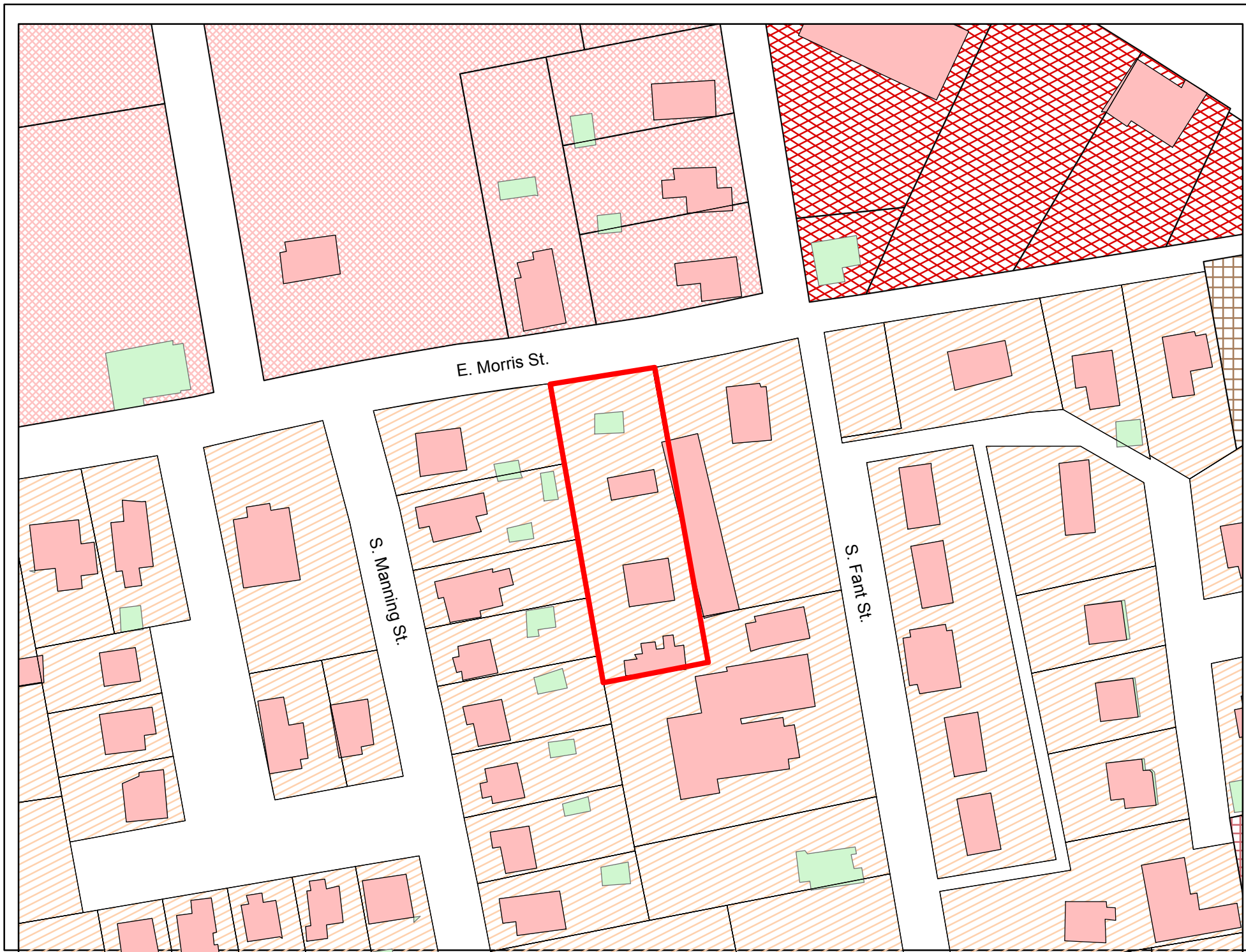
WHEREAS, the City of Anderson has been petitioned by Chuck Corley to rezone 312 East Hampton Street from R-5, Single-Family Residential to RM-10, Multi-Family Residential which is more specifically described as follows:

All that certain piece, parcel or lot of land situate, lying and being in the City of Anderson, County of Anderson, State of South Carolina, fronting north on Morris Street seventy-three and four-tenths (73.4) feet, and having a depth of two hundred thirty-two (232) feet adjoining property now or formerly of L.P. Gable, Maria Young, and Florence Cherry. This being that same property conveyed unto Barbara E. Williford by deed of Elizabeth Gable Wall (Bailey) dated March 9, 1978 and recorded March 9, 1978 in the Office of the Register of Deeds for Anderson County, South Carolina in Book 18-S at Page 554.

WHEREAS, the City of Anderson Planning Commission has reviewed the petition and recommends APPROVAL of the request.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ANDERSON THAT:

1. The Zoning Ordinance of the City of Anderson, dated January 12, 1998, and amendments thereto, be amended by rezoning 312 East Morris Street from R-5, Single-Family Residential to RM-10, Multi-Family Residential.
2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.
3. This ordinance shall take effect immediately upon its adoption by the City Council of the City of Anderson.



**City of Anderson
Council Agenda**

Title/Description: New Business

Request second and third reading of Ordinance 13-15 amending Article II of Ordinance 12-04 regarding City of Anderson Wastewater Pretreatment Program.

Executive Summary:

Request: The Utilities Division requests second and third reading of Ordinance 13-15 amending Article II of Ordinance 12-04 regarding City of Anderson Wastewater Pretreatment Program.

Background: Article II of this ordinance pertains to the Industrial Pretreatment Program. The City operates an Industrial Pretreatment Program which is designed to control and eliminate toxic pollutants from entering the local water environment. In 2012, the City made changes to comply with the most recent EPA model ordinance and submitted to SCDHEC for approval. After SCDHEC review of the amendments, several clarifications were requested before final approval. The following is an excerpt from SCDHEC's request for clarification and attached is the final version of the Ordinance:

1) Throughout the document the terms approval authority and control authority are utilized. The definitions section of the Sewer Use Ordinance (SUO) contains the appropriate definitions for each entity but the SUO creates confusion as to the responsibilities of each entity. As an example: in section 34-09(C)(2) it describes the use of a written application needing to be submitted to the approval authority for discharge into the City of Anderson's (City) public sewers. The control authority is the entity responsible for issuing industrial user permits within the City's jurisdiction which is the City of Anderson. In the State of South Carolina, the South Carolina Department of Health and Environmental Control (SCDHEC) is the approval authority and within the City's jurisdiction the City is the control authority. Please amend the document to correctly identify the responsibilities associated with each entity.

2) Where appropriate, the state pretreatment regulations should be cited instead of or in addition to the federal regulation. The state regulation may require additional information and approval. As an example: 40 CFR 136 would be appropriate for sampling while R61-9 403.12(e)(2)(v) would be appropriate for certification of "pollutants not present". Before the City could grant the waiver for "pollutants not present" prior Departmental approval would be required. Please modify and resubmit the Sewer Use Ordinance.

4) Section 34-10(C) lists specific pollutants which are prohibited from discharge into the collection system and subsequently introduced into the wastewater treatment plant. The City may choose to revisit the list of pollutants identified in this section because it contains pollutants which may be discharged by categorical dischargers (i.e., toluene). By strictly prohibiting the discharge of such pollutants the City is limiting its ability to serve some industrial users (i.e., OCPSF – 40CFR 414). If this is the intent of the City then the language, as submitted, is acceptable if not please modify and resubmit.

Benefit: The changes and clarifications offered will allow new industrial permits to be drafted and existing permits to be renewed upon expiration.

Funding: There is no funding requirement.

Recommendation: Staff recommends approval on second and third reading of the amendments to Ordinance 12-04.

Action Requested:

☐ Ordinance 1st Reading

☐ Information Only

☒ **Ordinance 2nd & 3rd Reading**

☐ General Approval

☐ Resolution

☐ Other

Date:
October 28, 2013

Agenda Item No.:
B-1

City of Anderson
Council Agenda

Title/Description: New Business

Request consideration of Accommodations Tax (ATAX) Advisory Committee recommendations.

Executive Summary:

This year, the City received **27 applications** for projects requesting ATAX Funds. The City's total to allocate this year is \$96,106.69 including carryover funds (carryover funds result from events that did not occur or spend their allotment). The total amount requested by these organizations was \$215,867.96. A spreadsheet of the ATAX Committee's recommendations is attached.

The Committee members fully understand the purpose of these dollars and judiciously studied how the City of Anderson and the applicants can best be served. The Committee analyzed the real tourism impact of each of the events and the recommendations are indicative of such. The Committee recommended continued emphasis on the data collection and reporting that supports tourism impact of projects or events funded through ATAX. The Committee noted that this year's projects include cultural tourism and sports tourism which are growing tourism opportunities.

In making these recommendations, the Committee gave great consideration to the applicant's tourism track record, data collection, substantiation of advertising and promotion expenses, economic benefit, other funding sources, and ability to attract and/or sustain tourism. Another weighted factor was the geographic location where the ATAX dollars originated (within the city limits) and the likelihood of continuing to leverage those dollars within the city.

Based upon these criteria, and especially the ability to generate tourism, the ATAX Committee is recommending the distribution of \$96,106.69 to 24 projects/applicants.

As a reminder, the ATAX formula distributes the first \$25,000 to the city's General Fund plus an additional 5%. This equates to about \$30,000. Then 30% of the balance of the collections is used for advertising and promotion of tourism (i.e. CVB). Then 65% or \$96,106.69 (including carryover funds) is allocated for tourism-related expenditures (as recommended by the ATAX Committee and approved by the City Council) to the various requesting organizations.

The staff concurs with these recommendations and thanks the Committee for their time, innovation, and genuine interest in allocating these dollars appropriately. Committee members are Shenequa Cannady, Cindy Suttles, John Doolittle, Larry Linnette, Vicki Culler, Larry Richardson and John Martin.

Action Requested: ☒ General Approval of ATAX Committee's recommendations

2013 - 2014
Accommodations Tax Distribution

Applicant	Project	Amount Requested	Last Year	Comm. Recommend	Council Approved
Anderson Area YMCA	Midnight Flight Roadraces	\$7,000	\$4,000	\$5,056.69	
Anderson Arts Center	Annual Tourism Projects	\$16,500	\$13,612.77	\$13,000	
Anderson Arts Center	Community Awareness Project	\$5,000	did not apply	\$1,000	
Anderson Arts Center	Web Presence Development Project	\$2,000	did not apply	\$1,000	
Anderson CVB	Marketing Ads	\$25,000	\$5,000	\$10,000	
Anderson CVB	NASC Sports Event Symposium - Travel & Reg	\$2,500	\$3,550	\$2,500	
Anderson CVB	Public Relations Campaign	\$30,000	did not apply	\$0	
Anderson County Museum	Promotion of Events	\$15,000	\$5,612.77	\$6,000	
Anderson Cnty. Senior Citizens Prog.	Electric City Sectional Bridge Tourn.	\$1,000	\$1,000	\$1,000	
Anderson County Woman's Club	Refurbish/Restore grounds/facilities	\$3,000	did not apply	\$0	
Anderson University	Anderson Senior Follies	\$2,800	\$2,800	\$2,800	
Balloons Over Anderson	Balloons Over Anderson	\$4,000	\$3,000	\$4,000	
Belton Tennis Association	Palmetto Championships	\$8,000	\$8,000	\$8,000	
City of Anderson	Wren book and art project	\$15,000	\$3,500	\$8,000	
Downtown Dev. Commission	Hospitality Program	\$9,500	\$7,000	\$8,000	
Downtown Dev. Commission	St. Patrick's Day events	\$3,500	did not apply	\$3,500	
Electric City Playhouse	Season - Promotion of Events	\$6,500	\$2,000	\$2,000	
Foothills Alliance	Annual Festival of Trees	\$500	\$500	\$500	
Foothills Community Foundation	Anderson International Festival	\$6,000	did not apply	\$3,000	
GAMAC	Concert Season	\$4,000	\$3,000.00	\$3,000	
Honea Path Arts Center	SC Watermedia Society	\$3,000	did not apply	\$2,000	
Main Street Program of Anderson	Main Street Block Party	\$10,000	\$4,000	\$2,000	
Main Street Program of Anderson	Day B-4 Fathers Day Car Show	\$4,000	\$3,000	\$3,000	
Main Street Program of Anderson	Holiday Walk & Tree Lighting	\$1,500	\$500	\$1,000	
Main Street Program of Anderson	Advertising	\$20,300	\$2,000	\$5,000	
Main Street Program of Anderson	Wish List Items for Block Party	\$9,067.96	did not apply	\$0	
Meals on Wheels - Anderson	Saint Nick's Chili Fix Chili Cook-off	\$1,200	\$750	\$750	
	Total amount requested (27 applications):		\$215,867.96		
	Amount received in 12/13 for distribution:		\$91,386.24		
	Amount carried forward & interest for distribution:		\$4,720.45		
	Total amount available for 13/14 distribution:		\$96,106.65		

**City of Anderson
Council Agenda**

Title/Description: New Business

Request: Request consideration of a contract with Clemson University for Public Education, Outreach and Participation for the stormwater program.

Executive Summary:

Background: The City of Anderson is a Regulated Small Municipal Separate Storm Sewer System (SMS4) operator required to comply with six minimum control measures designed to reduce pollutant discharges into receiving waterbodies. Two of the six minimum control measures are public education and outreach and public participation/involvement.

Carolina Clear is a comprehensive approach developed by the Clemson University Cooperative Extension Service to inform and educate communities about water quality, water quantity and the cumulative effects of stormwater. Carolina Clear addresses the special significance of South Carolina's water resources and the role they play in the state's economy, environmental health and overall quality of life. Carolina Clear is designed to specifically assist MS4s impacted by state and federal mandates to manage water pollution, and they are committed to preserving our resources for future generations.

Benefit: There are several benefits for the City of Anderson to partner with Clemson University. Clemson University has extensive resources and experience in environmental education, social marketing and the evaluation of such efforts through community surveys. Partnering on the public education and participation efforts will prevent the duplication of efforts that undoubtedly have occurred and would continue without this alliance. Partnering will also allow stormwater staff to focus on the current backlog of projects.

Clemson University prefers to conduct the program throughout Anderson County, including Belton and other municipalities required to have a stormwater program. As a result, the Anderson County Council approved a contract with Clemson University on October 15, 2013.

Funding: The Stormwater Utility will fund this contract. The fund has a budget of \$930,000, with a professional services component of \$34,000. This contract is a five (5) year term at \$15,000 per year. Either party may terminate the contract at any time with thirty (30) days' notice.

Recommendation: Stormwater staff reviewed the Contract and Memorandum of Understanding with Clemson University, and recommend approval. This is a federally mandated component of the City's stormwater program.

Action Requested:

☐ Ordinance 1st Reading

☐ Information Only

☐ Ordinance 2nd Reading

☒ General Approval

☐ Resolution

☐ Other

Memorandum of Understanding

between

CLEMSON UNIVERSITY

and

CITY OF ANDERSON

WHEREAS, Clemson University (hereinafter, CLEMSON) holds in its Extension faculty and staff various levels of expertise concerning stormwater compliance requirements as promulgated by SC DHEC and USEPA, and

WHEREAS, the City of Anderson is seeking a partnership to implement stormwater education and public involvement programming; and

WHEREAS, Clemson University has developed an environmental outreach program (Carolina Clear), portions of which apply to the impact of stormwater on natural resources;

THEREFORE, be it resolved that since Carolina Clear seeks to educate citizens about the impacts of stormwater and means to improve stormwater management and since this program provides outreach opportunities to address a broad range of water quality issues including the impact of stormwater on natural resources, Clemson and the City of Anderson will collaborate to address stormwater education and involvement. Carolina Clear is a comprehensive approach developed by Clemson University Cooperative Extension Service to inform and educate communities about, among other issues, water quality, water quantity and the cumulative effects of stormwater. Carolina Clear addresses the special significance of South Carolina's water resources and the role these resources play in the state's economy, environmental health, and overall quality of life.

In order to assist the City of Anderson in satisfying the Public Education and Outreach Minimum Control Measure as required by the EPA Phase II Stormwater Program, the Clemson University Cooperative Extension Service (CUCES) proposes to utilize selected components of the Carolina Clear program in order to

- Coordinate and lead a regional body of partners including community representatives joined together by a shared interest in watershed restoration, protection and improved stormwater management.
- Determine the appropriate public awareness campaign with the City of Anderson and the community's guidance on target behaviors, audiences, pollutants and established venues and modes for outreach. Some program implementation approaches, BMPs (*i.e.*, the program actions/activities), and measurable goals are contained in the individual agreement and seek to:

- Form partnerships,
 - Use and develop education materials and strategies, and
 - Reach diverse audiences.
- Implement a strategic public education program with the City of Anderson, or conduct equivalent outreach activities addressing the awareness of stormwater pollution and its effects on natural resources and the specific activities and safe alternatives to improve stormwater management.

In order to satisfy the Public Involvement/Participation Minimum Control Measure, CUCES proposes to

- Provide opportunities for audiences to become active in stormwater management.
- Provide program accountability measures including estimated number of people contacted, publications produced and distributed, and measures of outreach impacts and possible behavior change, and other specifics as appropriate considering DHEC and EPA guidance.
- Other programs and measures as specified in the Contractual Agreement.

Because each agreement is unique to the requirements of the circumstances, Clemson and the City of Anderson agree that the specific metrics of each contract shall be individually negotiated and delineated in the Contractual Agreement. Neither party has any responsibility for any performance obligations except as indicated in a subsequently negotiated Contractual Agreement.

This Memorandum of Understanding will commence upon the date of the signature of the last party to this contract and will run thereafter for a period of five (5) years from the date of the last signature. The parties may agree in writing to extend this agreement for an additional 5-year period, provided such agreement is executed no later than 30 days prior to the expiration of this contract. No amendments, changes or modifications will be effective until and unless reduced to writing and signed by the parties. Either party may cancel this agreement upon the giving of 30 days written notice.

John Kelly, Vice President

Clemson University PSA

Date

John R. Moore Jr., City Manager

City of Anderson

Date

Contractual Agreement

between

CLEMSON UNIVERSITY

and

CITY OF ANDERSON

Public awareness and education about natural resources is crucial in the process of protecting and restoring water quality. Clemson University (Clemson) and the City of Anderson will partner to deliver education and involvement programming to general and targeted audiences towards achieving compliance with Phase II Clean Water Act: Stormwater Education and Awareness and Public Involvement/Participation. More specifically, these are referred to as Minimum Control Measures One and Two.

NOW, the parties agree as follows:

1. Clemson will deliver public education and outreach with a goal to influence a more aware and involved public in regards to stormwater management decisions. The educational programs will include components designed for various residential and commercial audiences and others targeted for their impact to stormwater and nonpoint source pollution. This effort will be delivered through various means, as detailed below in items 4 and 5. Events will be held at Clemson and/or other available facilities in such a way to reach diverse and regionally distributed audiences. Such instruction may include the furnishing of informational handouts, instructional manuals, promotional materials, webpages and similar such materials, as deemed appropriate by Clemson and the participating entity.
2. The City of Anderson will participate in a regional decision-making process to define regional priorities in regards to behaviors, pollutants and audiences to be targeted for outreach. The City of Anderson shall provide input as available on audience demographics, behaviors based on staff observations, commercial impacts related to stormwater management that may lead to compliance and enforcement actions, and other input based on stormwater operations.
3. The City of Anderson shall provide information regarding readily available delivery modes for education and involvement programming (e.g., newsletters, community calendars, government access channels, community-mayor meetings, tax or water bills, etc.).
4. Clemson will raise public awareness using a mass media approach. Billboard and television public service announcements, radio broadcasts and interviews, newspaper articles, stories and advertisements, and publications are among the outlets considered for use in this effort.
5. Each of the public-related activities described below will be part of the base program on an annual basis and will target a specific audience, all subject to modification with the approval of the City of Anderson and Clemson, as well as acknowledging regulatory direction and interpretation by South Carolina DHEC.

Clemson University will:

LEAD

- 5.1. Work with one regional association of **stormwater managers and local decision-makers** to update, plan and determine regional stormwater education and involvement priorities from year-to-year.
- 5.2. Explore, pilot (as needed) and initiate strategic approaches to educating target audiences towards the goal of adopting improved behaviors and practices towards better stormwater management.

COMMUNICATE

- 5.3. Maintain webpage(s) with content specific to the regional outreach programs. Utilize tools to monitor website visits and other related statistics.
- 5.4. Maintain communication among regional partners through meetings, newsletters/e-news, one-on-one meetings or other means established as best practice for the partnership.

IMPLEMENT

- 5.5. Plan, develop, present and be a participant in at least three (3) **community and public** programs with emphasis on stormwater education. Provide resources to encourage continued learning and practice adoption.
- 5.6. Create at least three (3) news articles for the **general public**.
- 5.7. Plan and present homeowner and yard owner program(s) for **individuals and families**. Distribute or provide materials for distribution as part of workshops and/or provide resources to encourage continued learning and practice adoption.
- 5.8. Provide at least one (1) **youth** program per year within the region such as
 - i. Adopt-A-Watershed which uses a local watershed,
 - ii. Storm Drain Marking,
 - iii. 4-H Wetlands Project explores estuaries, marshes, and swamps,
 - iv. 4H₂O Pontoon Classroom,
 - v. Engaging teachers in new watershed and stormwater curriculum meeting SC Standards, and
 - vi. Enviroscope.
- 5.9. Present at least one (1) program that addresses pollution prevention and alternatives for a **target audience, as per the region's priorities**.
- 5.10. Develop and provide for the **general public**, within means, items such as banners and promotional giveaways to serve as a way to attract audiences and increase regional consortium visibility.
- 5.11. Utilize mass media outlets to provide statewide education at an increased cost-effectiveness; as needed, locally utilize mass media such as newspapers, radio, interviews and advertisements to address specific needs.

INVOLVE

- 5.12. Provide at least one (1) opportunity to involve an audience (**general public or commercial**) in improved watershed management and stormwater awareness.

- 5.13. Promote and expand web-based tools to encourage learning about and adoption of low impact development techniques (SC LID Atlas) and furthering involvement from citizens in watershed-focused volunteer opportunities (Watershed Stewardship Map) and through the use of demonstration sites as warranted appropriate.

REPORT

- 5.14. Provide and manage a user-friendly database to track each year's activities.
 - 5.15. Annually, produce a document summarizing the year's efforts, successes, decision-making processes, partnerships and regional priorities
 - 5.16. On request and based on current regulatory guidance, provide data for public education and outreach and public involvement/participation measures of the Annual Report Checklist required by DHEC of all Municipal Separate Storm Sewer Systems (MS4s).
6. Clemson will provide accountability statistics for each of the activities as best can be estimated. The statistics will include the following accomplishment indicators:
 - 6.1. Number of educational programs and activities conducted.
 - 6.2. Number of people reached through educational programs or involved by outreach programs according to method, audience or targeted behavior.
 - 6.3. Number of people receiving information through "non-program" contacts such as telephone, office, visits, website contacts, visual and print media.
 - 6.4. Evaluation of activities and the pollutant or behavior targeted.
 - 6.5. As available, feedback on programs and anecdotal evidence of successful program implementation.
 7. At a minimum of *once per permit cycle* (anticipated as no less than 3 years and no more than 5 years), and on the Carolina Clear statewide schedule so as to gain regional comparison information, implement statistically relevant survey instruments to gain insight on the awareness, knowledge and behaviors of the general public related to stormwater and watershed management, as well as regional effort awareness.
 8. The City of Anderson shall provide payment in the amount of \$15,000, annually for the base program. Fees for additional services will be negotiated based on cost. These costs are based on the urbanized area population of each MS4, county and/or defined area(s).
 9. A mutually agreeable estimated delivery schedule shall provide activities distributed through each year in an Annual Activity Plan (as default) or on an otherwise agreed upon multi-year activity plan, which will be noted as a regional decision documented in writing for the regional entity.
 10. Clemson is insured by the State Insurance Reserve Fund pursuant to the State Tort Claims Act. The City of Anderson is also insured by the State Insurance Reserve Fund. The parties agree that each shall be responsible for the negligent acts or omissions of its own officers, employees and agents and that neither is responsible for the negligent acts or omissions of the other's officers, employees and agents in the performance of the requirements of this agreement.

This contract is subject to the terms and conditions of the Memorandum of Understanding between Clemson and the City of Anderson, dated _____, which are fully incorporated herein by reference.

John Kelly, Vice President

Vice President for PSA

Date

John R. Moore, Jr.

City Manager, City of Anderson

Date

City of Anderson
Council Agenda

Title/Description: New Business

Request: Request consideration of a contract with Woolpert, Inc. for a watershed assessment study for the stormwater program.

Executive Summary:

Background: Due to Total Maximum Daily Load (TMDL) monitoring requirements in the latest South Carolina NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Storm Sewer Systems (SMS4), and the desire to assess water quality conditions within local receiving waters, the City of Anderson needs to develop a water quality monitoring plan. There are many considerations that should be evaluated in the development of a monitoring plan; such as the type of water quality impairment(s), urbanized area/political boundaries, site selection factors, sampling/monitoring approaches, the duration of the data collection, and the end objectives.

Benefit: The Watershed Assessment Study will develop a community-wide surface water quality monitoring plan, layout and evaluate watersheds and determine pollutants of concern associated with TMDL(s). The information collected will allow the City of Anderson to develop a watershed plan that can be submitted to SCDHEC to meet permit requirements.

Funding: The Stormwater Utility will fund this study. The fund has a budget of \$930,000, with a capital expenditure component of \$421,500.

Recommendation: Stormwater staff reviewed the contract and recommend approving the contract submitted by Woolpert, Inc. in the amount of \$20,070. Woolpert, Inc. was selected for on-call engineering services during the engineering RFQ process. This is a federally mandated component of the City's stormwater program.

Action Requested:

☐ Ordinance 1st Reading

☐ Information Only

☐ Ordinance 2nd Reading

☒ General Approval

☐ Resolution

☐ Other



ADDENDUM #6: SCOPE OF SERVICES

CITY OF ANDERSON

SURFACE WATER MONITORING PLAN

SCOPE OF SERVICES

PROJECT UNDERSTANDING

Due to Total Maximum Daily Load (TMDL) monitoring requirements in the final South Carolina Phase II general permit and the desire to assess water quality conditions within local receiving waters, the City of Anderson would like to develop a monitoring plan. There are many different types of considerations that should be evaluated in the development of a monitoring plan such as the type of water quality impairment(s), urbanized area/political boundaries, many site selection factors, the sampling/monitoring approach, the duration of the data collection, and most importantly the end objectives.

Since many of these considerations apply regardless of the watershed and the pollutant of concern (POC) associated with the TMDL, Woolpert recommends the development of a community-wide monitoring plan to layout and evaluate these and other considerations at a macro level. However, the plan will include separate appendices that include individual monitoring plans as required in the MS4 permit that are much more concise and specific to each watershed and TMDL that affects the MS4. The separate appendices can be utilized as stand-alone monitoring plans for submittal to DHEC to meet permit requirements. The following scope of services outlines the tasks associated with this effort:

TASK 1 - CURRENT DATA COMPILATION

This task includes the collection and compilation of existing data from the City and data associated with each respective TMDL watershed and/or impairment from SCDHEC or other entities. This includes, but is not limited to:

- Available GIS shape files
- Outfalls
- Local sources of weather/rainfall data
- Existing TMDLs
- 303d impairments
- DHEC sample stations
- STORET data
- SCDNR hydrologic unit code (HUC) boundaries
- Census defined urbanized areas

This task includes a review of the TMDL reports to assess the potential for impacts from the MS4 and a review of recent STORET data to assess current pollutant concentrations.

TASK 2 - DESKTOP GIS ASSESSMENT

This task includes a desktop effort to identify appropriate locations for sampling/monitoring based on the data available above. Woolpert will select **up to 10 locations** in TMDL watersheds that appear to be good candidates based upon political boundaries, urbanized area limits,



watershed boundaries, creek confluences, parcel/ROW ownership, and permit requirements in the final Phase II permit. The prospective locations will be tagged in GIS for field inspection and will likely include both in-stream locations and outfalls that may be appropriate for the City. This task will require the delineation of sub-watersheds in various areas to assess the relative contribution of the City urbanized area draining to key locations based on land area. Woolpert may use Google Street View in some areas to assist in the initial assessment.

TASK 3 - FIELD RECONNAISSANCE

After completion of the desktop assessment, Woolpert staff will conduct a detailed field inspection to evaluate the physical conditions of each site and whether conditions are suitable for manual grab sampling and/or automated or continuous monitoring. This includes an evaluation of many parameters such as accessibility, staff/equipment safety, channel/bank stability, sediment bed load, laminar well-mixed base flow, tree cover, local pollutant sources, expected flow depths, and evidence of shallow bedrock.

Field staff will take detailed notes (available upon request) and digital photographs of each prospective location to assist in the prioritization and selection of appropriate locations for sampling/monitoring. Woolpert will note any observations of utility conflicts that might impact the installation of automated equipment.

TASK 4 - MAPPING

Woolpert will develop an overall map of the City depicting each location that was inspected for sampling/monitoring. The map will include much of the GIS data referenced previously to show pertinent locations for data collection and the contributing watersheds to each location. Each location will be clearly labeled for reference to individual site location maps for each potential sampling/monitoring location.

TASK 5 - FINAL PLAN

Upon completion of each of the tasks above, Woolpert will develop a draft monitoring plan. The plan will summarize the status of TMDLs and impairments that currently affect the City and potential partnering opportunities with neighboring communities or utilities. The plan will then provide general information regarding sampling approaches, frequency of data collection, and types of monitoring equipment that the City should consider for each TMDL. This will include discussion regarding resources for sample collection and potential laboratories to provide analytical data. The results of the field investigation will be summarized for each site and Woolpert will prioritize the preferred potential locations for sampling/monitoring in each TMDL watershed. At this point, the draft monitoring plan will be provided to the City for comment. Woolpert staff will then meet with the City to discuss needed edits and specifics regarding development of a shorter, individual monitoring plan for each specific TMDL.

The stand-alone documents will be included in the Appendix and will strictly follow the monitoring requirements in the Phase II general permit. The methods/approaches in each TMDL monitoring plan will be based upon the general monitoring plan and input from the City regarding the preferred approach for compliance. Various portions of the overall plan may be transferred into the TMDL plan, but the plan will be solely focused on the permit requirements.

DELIVERABLE:

- Five (5) hard copies and a digital copy of the final monitoring plan.



TASK 6 - PROJECT MANAGEMENT

Normal project management duties will be provided throughout the duration of the project. These duties will include but not be limited to one (1) project review meeting at the City offices in Anderson, SC, team meetings, schedule creation and updating, and progress invoicing.

HOURLY RATE SCHEDULE

Title	Hourly Rate
Principal	\$246
Project Director	\$202
Project Manager	\$178
Engineer	\$138
EIT	\$119
GIS Analyst	\$145
Senior Technician	\$111
Technician	\$94
Administrative Assistant	\$80

Reimbursable expenses include but are not limited to travel, lodging, meals, telephone and fax, copies, shipping/overnight delivery, and prints.

The above referenced hourly rates shall remain in effect until October 06, 2014, at which time a revised rate schedule may be submitted.

The estimated fees for this scope of services are as follows:



ESTIMATED FEES

Task	Fee
Task 1. Current Data Compilation	\$2,670
Task 2. Desktop GIS Assessment	\$3,000
Task 3. Field Reconnaissance	\$4,200
Task 4. Mapping	\$2,500
Task 5. Final Plan	\$3,400
Task 6. Project Management / Team Meeting	<u>\$3,900</u>
Labor Total:	\$19,670
Estimated Reimbursable:	<u>\$400</u>
Estimated Project Total:	\$20,070